

Notice of Allowability

Application No.

09/761,623

Examiner

James A. Thompson

Applicant(s)

OKADA ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12 January 2007.
2. ☒ The allowed claim(s) is/are 1-4,6-15 and 17-29.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

James A. Thompson
Examiner
Technology Division 2625

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 12 January 2007, with respect to the rejections under 35 USC §112, 2nd paragraph have been fully considered and are persuasive. The rejections under 35 USC §112, 2nd paragraph listed in items 3-5 of the previous office action, mailed 17 November 2006, have been withdrawn.

Allowable Subject Matter

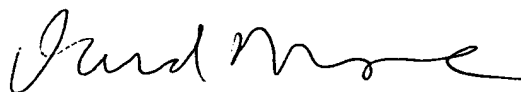
2. Claims 1-4, 6-15 and 17-29 are allowed.

The following is an examiner's statement of reasons for allowance:

Independent claims 1, 12, 23, 25, 27 and 29 each recite (1) that input image data is converted into primary data having an N-bit range, (2) that said input data is also converted into secondary data having an M-bit range ($M > N$), (3) that tertiary data is calculated based on the dissimilarity between said primary data and said secondary data, and (4) that said primary data and said tertiary data is recorded. Examiner has not found all four limitations either within a single prior art reference or within multiple references in such a way that all four limitations would have been obvious to one of ordinary skill in the art at the time of the invention.

The closest prior art found are the prior art references already of record, namely Katayama (US Patent 5,537,496), Ball (*Sams Teach Yourself Linux in 24 Hours*, by Bill Ball and Stephen Smoogen, copyright 1998, Sams Publishing and Red Hat Press), Imai (US Patent 6,038,369), and Hayashi (US Patent 5,754,683). The present amendments to the claims have overcome these references and no other references have been discovered which either anticipate the claims or render the claims obvious to one of ordinary skill in the art at the time of the invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."



DAVID MOORE
SUPERVISORY PATENT EXAMINER
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



17 February 2007

James A. Thompson
Examiner
Technology Division 2625